A TRIBUTE

TO

THE MEMORY

OF

DAVID C. BRODERICK:

BY WALTER G. SHERWIN,

OF THE CINCINNATI BAR.

There is Romance in Reality, and Reality in Romance.

"Slavery is old, decrepit, and consumptive; Freedom is young, and strong, and vigorous."

Broderick's Speech, March 22d, 1858.

"THEY HAVE KILLED ME BECAUSE I WAS OPPOSED TO THE EXTENSION OF SLAVERY AND A CORRUPT ADMINISTRATION."

Spoken after the Duel, Sept. 13th, 1859.

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THIS TRIBUTE was written on account of the sincere regard the Author felt for the heroism and manly worth of the departed Senator; and is published in obedience to the earnest solicitations of many friends. It is dedicated to the Citizens of the Republic. W. G. S———.

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It was winter in the Capital City of the new Republic. The afternoon sun shone dimly. Frosty pictures, in mimic silver, were painted on the window panes. Snow carpeted the streets, and cushioned the pavements, and lay in silence upon the roofs, like the hovering wing of the protecting angel. The year 1819 was drawing to a close. The biting-cold air of December, from the far North-West, was passing by on its journey to the sea. Congress was in session in those Halls that were held to be sacred to liberty. The fathers of the Republic were fast passing away, but their immediate sons had met to legislate for the weal of the nation. James Monroe was then President; Daniel D. Tompkins was President of the Senate, and Henry Clay was Speaker of the Lower House.

A question arose for their deliberation—a question of portentous moment, which called for great ability—which wrought up, intensely, the earnestness of the members, and filled the galleries with anxious listeners. That question had been introduced near the close of the last session. It was this: "Shall any more slave States be admitted into this Union?"

Jonathan Roberts was there, holding in his hand a set of resolutions passed by the Legislature of Pennsylvania, *against* the admission of more slave States. Here is a part

of the preamble, and one of the resolutions, which deserve to be immortal in history:

"A measure was ardently supported in the last Congress of the United States, and will probably be as earnestly urged during the existing session of that body, which has a palpable tendency to impair the political relations of the several States; which is calculated to mar the social happiness of the present and future generations; which, if adopted, would impede the march of humanity and freedom through the world, and would affix and perpetuate an odious stain upon the present race; *a measure*, in brief, *which proposes to spread the crimes and cruelties of slavery from the banks of the Mississippi to the shores of the Pacific Ocean.*

"When measures of this kind are seriously advocated in the Rebublican Congress of America, in the nineteenth century, the several States are invoked, by the duty which they owe to the Diety, by the veneration which they entertain for the memory of the Founders of the Republic, and by a tender regard for posterity, *to protest against its adoption; to refuse to covenant with crime; and to limit the range of an evil* that already hangs in awful boding over so large a portion of the Union; Therefore,

"*Resolved*, That the Senators and Representatives of this State in the Congress of the United States, be and they are hereby requested to *vote against the admission of any Territory as a State in the Union*, unless the FURTHER INTRODUCTION OF SLAVERY OR INVOLUNTARY SERVITUDE—except for punishment of crimes, whereof the party shall have been duly convicted, SHALL BE PROHIBITED; and all children born within the said Territory, after the admission into the Union as a State, SHALL BE FREE; but may be held to service until the age of twenty-five years."

Thus spoke the voice of Pennsylvania on the floor of the United States Senate, in 1819. It was a proud day for that rising nation of miners and hardy mountaineers.

Nathan Sanford and Rufus King, of New York, were there to assist in transforming the spirit of those Pennsylvania resolutions into the law of the land. Prentiss Mellen was there to cast the eloquence and vote of Massachusetts against the further extension of slavery. James J. Wilson, of New Jersey, and Benjamin Ruggles, of Ohio, were there, and many other great and honorable men, who were proud to raise their voices in favor of "limiting the range of the evil." Several other States had sent in similar preambles and similar resolutions. In the Lower House there were James Strong, and John W. Taylor, and Henry R. Storris,

and others, of New York, their souls all *full* of honest opposition to slavery extension. There were John Sergeant and Joseph Hemphill, of Pennsylvania, together with John Holmes and Ezekiel Whitman, from Massachusetts, and Samuel Foot, of Connecticut, and many more with similar views.

But let us leave the Halls of Congress to notice another event which was then transpiring:

Half a mile from the Capital, and near the waters of the Potomac, in a plain, one-story house, a child was just then born. A child of obscure parentage; the heir of poverty; the son of a stone-cutter; the fore-doomed companion of toil. His father—a plain, rough, but thoughtful man, with the leather apron, the chisel and the mallet—was a model of industry, hardy, active and honest. Finding that it was too cold to cut stone that day, he had gone a while to the galleries of the Halls of Congress, and then returned to welcome his new-born boy.

The mother was a lady of more than usual intelligence, amiable and active. The birth of the boy was an event of small importance, but it was the beginning of a bright career. Let us trace it. When the fleeting winter of Washington had passed away, and the opening buds of the returned spring were nodding in the sun, the plain stone-cutter went again to the Halls of Congress, to hear again the "Debates on Slavery Extension," and bore the new-born boy in his arms. I see them now: the honest, hardy father, the intelligent mother, and the boy. They are seated in the gallery of the Lower House, now crowded more densely than ever.

Mr. King, of New Jersey, has the floor, and these are the first words that fall upon the ear:—

* * * "We have arrived at an awful period in the history of our empire, when it behooves every member of this House now to pause and consider, that on the next step we take, depends the fate of unborn millions. Now, sir, it is to be tested, whether this grand and hitherto successful

experiment of free governments is to continue, or *break asunder* on a dispute concerning the division of territory." * *

Mr. Stevens, of Connecticut, followed, and spoke of the sectional hatred, and *danger of dissolution*, that had grown out of this question of Slavery Extension. Here is one remark :—

* * * "I don't pretend to say that in just five calender months your Union will be at an end; your Constitution destroyed; your proud trophies, won in the most gallant combat, profaned; and the glories of half a century—gained by yourselves and your departed friends—made the sport of an envying world. But I *do* say, that the result of a failure to *compromise* at this time, would be to create ruthless hatred and irradicable jealousy." * * * *

Mr. Mercer, of Virginia, followed with great earnestness.

And then the vote was taken on the motion to strike out the clause which prohibited the extension of slavery. It was carried by a MAJORITY OF THREE! *Ninety in favor* of striking it out, and *eighty-seven opposed!* The whole bill—prohibitory clause and all—had actually PASSED in the Lower House during the previous week; but when the Senate refused to concur, a Compromise was the only alternative by which to escape the threatened dissolution. So that the vote above mentioned, was to strike out a clause that had ALREADY PASSED, for the sake of modifying it so as to secure the concurrence of the Senate! And even then, with the positive refusal of the Senate, and the threatened and almost certain dissolution of the Union before them, (more certain then than it can be now,) the bold patriots of that day lost the prohibitory clause only by THREE MAJORITY!

A similar clause, prohibiting the extension of slavey, was lost in the Senate, two days before, by only TWO MAJORITY! There were *twenty-one in favor* of the clause, and *twenty-three against it!* Thus the advocates of slavery extension succeeded—by threatening Disunion and War. And the grand sum of their majorities, in both Houses, was TWO VOTES ⋈

THREE VOTES = FIVE VOTES!! And this in the spring of 1820—just forty years ago!

How *tender* the tie that bound the Union then! How evenly the balances were poised! In one scale was placed the extension of slavery, union and peace, and in the other, limitation of slavery, and probable disunion and war. The former balance weighed the heaviest by only FIVE VOTES.—Both Houses together stood thus:—

For extension, union and peace - - - -	113
For limitation, (disunion and war) - - -	108

And this only after it was found to be IMPOSSIBLE to pass the latter ticket in the Senate. Before the Compromise was talked of, there was, in the Lower House, a clear majority of THREE for LIMITATION! And the united Houses stood thus:

For extension, union and peace - - - -	110
For limitation, (disunion and war) - - -	111

The conflict was irrepressible forty-five years ago; it has been irrepressible ever since.

The stone-cutter and his bride, filled with sorrow and with gloom, on account of the unfortunate termination of the struggle for the supremacy of liberty, turned away, and sought their plain, quiet house, on the bank of the Potomac.

Time rolls on; and the father is carving stones which are placed in the new wings of the Capitol. The babe becomes the playful boy. Do you not see him yonder, throwing pebbles into the Potomac? Do you not see his tangled, flaxen hair, and his deep blue eye? How gracefully the pebbles curve, and how far they go! Stout boy—the son of a man who chisels stone. Now he wades in the edge of the water—the water of the Potomac, sacred to the memory of Washington! Now he tries to swim in the bayou of the stream, and the elder boys show him how. Now he climbs over the stones where his father is at work. And now he wanders far along the stream, beyond the confines of the city. He picks the laughing flowers, and brings them to his

mother with a bounding step. The devoted mother returns his hearty laughter, kisses his happy lips, smells and admires his bunch of Potomac flowers, and talks to him of *liberty*.

"How happy they who are free to wander where they will! How happy they, of the bounding footstep, who fear no master! who are free to gather flowers on the sunny banks, and bring them to their mother! All boys are not so *free*, my son,—*all* boys are not so *free!* Some—as white as you —are slaves, and dare not call their life their own! The great men of the nation, in yonder Capitol, were debating about slavery on the day that you were born. And when you were scarcely three months old, they voted to put slavery into another new State! The contest was close; the speeches on both sides were earnest and eloquent; but slavery was a little the strongest. Your father and I were there; and you were there in your father's arms! It was the first debate that ever fell upon your ear; the first vote in Congress you ever witnessed. You were too young to understand it, my son, but your father and I thought, how sorry we would be, if ever our darling David should vote for extending slavery into the free countries of the West!"

Little David looked earnestly at his flowers a moment, and then at his mother, and said: "*Mother, I don't want them to extend slavery into any more new States.*"

The truly noble mother kissed her boy again and again, with transports of delight! She had moulded his little heart to the love of liberty! A thrill of joy lit up her face, and quickened the beating of her heart! A tear was on her handsome cheek—a tear of joy, a tear of triumph, a tear of accomplished hope—when she went into another room, and left young David with his flowers. He was a little more than five years old, bright as the silvery waters, gay as the flowers he had gathered, happy as the birds that sung in the bower, and as free as they!

Soon the parents removed to New York, at the mouth of the Hudson, on the margin of the sea. Here little David

went to school. He became the pride of his playmates, and the pride of his parents, as time rolled away. Another boy was born—the image of himself. The brothers played on the banks of the Hudson, and ripped its waves with their little skiff. They loved the water, and were proud of the dripping oars? Suddenly the father died, and the boys inherited the mallets and the chisels. But little other property was left. The widow and the two orphans had to maintain themselves. They were poor; poor laborers, poor stone-cutters, in the crowded city of New York. But they were not ashamed of poverty, nor ashamed of labor, nor ashamed of obscurity, for it was the greater part of their inheritance.

David was bound out to a stone-cutter, a friend of his father. For five years he toiled to learn the laborious trade —the trade of his departed father. Five years among the mallets, the chisels and the stones! Five years with the leather apron on! His evenings were spent in reading Poetry and Eloquence; and books of Practical Science were by no means unfamiliar. He was active, and energetic, and resolute, and manly. His ambition was of the loftier kind, that wishes to *deserve* all it obtains; and his pride was the pride which accompanies him only, who is conscious of his power. Selfishness and vanity had no part in his composition. The mother also died; died poor, died happy; saying, with her latest accents: "Farewell, David; be true to the principles that your parents have taught you."

He joined Fire Company No. 36, and became its Engineer. He was the pride of the Company, bold, intelligent and daring. The Ninth Ward honored him and loved him as it can honor and love only its dearest friend. By-and-by, the brother died also, in the bloom of his youth and beauty, leaving only the recollection of a noble heart, and his share in the skiff and the dripping oars. And now David is alone in the world—the last of his race! No father, no mother, no brother, no sister, no wife, no children, no kindred in all the wide world! No relatives to welcome his coming footsteps! No kindred to weep at his misfortune, or rejoice at his success! He has nothing to live

for now but Truth, and Intelligence, and Liberty. He meditates, while he rides in the old skiff on the silvery Hudson, dipping and pulling the treasured oars.

They tell us he sometimes mingled in rough company. So he did. He moved among the firemen, and the mechanics, and the laborers, and the politicians of New York. He moved in that company because there was among them less ostentation, less mock-dignity, less cold selfishness, less of that barren family pride, which too often follows, like a prowling demon, the pathway of the wealthy, intelligent, and otherwise noble aristocracy. But Broderick's nature did not *absorb* the vices of his company, did not *adopt* them. If he did not condemn them by his conduct, he at least refused to *imitate* them, and scorned to encourage them. His presence among his associates, with his manly demeanor and affable manners, often prevented and repressed coarseness and vulgarity. They learned of him, not he of them. Would you have the man of talent and ability *shun* the cottage of the peasant, and the workshop of the mechanic, and refuse to extend the hand of brotherly friendship and encouragement to the honest, faithful, but neglected laboring man? If you would, you are no friend of the human race, and your heart is a stranger to real democracy. Go among the unfortunate and the neglected, and the lowly. Let your light shine among them as Broderick did. Respect always your fellowmen. Honor them when they are right, instruct them when they are wrong. Restrain them when they are fanatical, and encourage them when they despond. This Broderick did, and did it out of the spontaneous promptings of a noble heart.

He reaches the age of manhood. The flaxen locks have changed to a glossy chestnut brown, and his happy face is saddened by the shade of loneliness and care. He plunged deeper into Literature; becomes more and more devoted to Science, and studies, with diligence, the art of Legislation.—Among his associates he becomes a star of intelligence, and a star of unusual brilliancy, but he shines alone. No rela-

tives hail him as the genius of their name. At twenty-seven years of age, he becomes a candidate for Congress. He goes into the contest with his armor on, but he goes alone. No blood-bound champions to advocate his cause, no friendly tongue to defend his honor. Like some fabulous warrior in the legends of mythology, he battled with them single-handed.

But he belongs to the Democratic party, in a Democratic city, and that alone should insure his success. But no! He is too true to the sentiment he gave his mother twenty-two years ago, when he held in his hand the bunch of Potomac flowers! Too true to the dying request of his mother! His speeches have too much independence and too much liberty in them! And they are filled with too much Truth and teem with too much Intelligence! He is beaten in a district where his own party has the majority! What is the reason? The reason is because while his party is drifting away from its ancient landmarks, and fast becoming a Slavery Extending Party, he remains a bulwark of Liberty. He stands where Nathan Sanford, and Rufus King, and Jonathan Roberts, and Prentiss Mellen, and James J. Wilson, and Benjamin Ruggles, and James Strong, and John W. Taylor, and Henry R. Storris, and many other great and noble patriots stood, on the day that he was born! He is *beaten, because he is too good a patriot, and too wise a man*, for the wandering Democratic party to hold fellowship with! While the Mexican War is in progress, and the Democratic party makes new, and desperate and successful efforts to extend the dominion of slavery, the defeated candidate, in retirement, plunges deeper into literature and learning, poetry and eloquence.

While thus engaged, *gold* is discovered in California. A tide of emigrants begins to pour over the plains of the West, and to drift around Cape Horn. All eyes are turned to California! The Eldorado of the West—the virgin soil that power and tyranny have never stained; a romantic wilderness, pure, unsullied and sweet as it could have been on

creation's morn! Thither goes the tide! Some go for gold, some for romance, some for passtime, and some with the patriotic object of helping to mould the institutions of the newly-settled wilderness. David C. Broderick leaves the home of his youth, and goes with the tide. Do you not see him yonder on the billow, floating around Cape Horn?—Farewell, New York! one of the proudest names that ever adorned your annals, is leaving you forever! He floats away, over nine thousand miles of ocean, and lands in the virgin wilderness, on the coast of the Pacific. The country is too new to warrant the establishment of any government. So the orphan son of the stone-cutter, the artizan, the scholar and the politician, at the age of thirty-one years, turns his attention to smelting gold. The yellow sands yield up to him their stores of shining metal, as books and meditation have yielded their treasures of thought. He builds a house in San Francisco, collects a library of books, and seems to feel at home. When a government is formed, he is elected to the Legislature. His sentiments—differing from the majority of his party—are always for Liberty. His influence is felt. His voice is heard with respect. He is foremost in the counsels of the Golden State. The Legislature assemble to elect a man to represent them in the Senate of the United States, and the son of the stone-cutter is a candidate! He is thirty-four years of age, and he has not forgotten the dying wish of his mother. He is *defeated again*, and chiefly by the influence of his own party leaders, who *hate him, because he will not be corrupt!*

He is a careful business man, and always promptly on the spot at the appointed hour. His Legislative duties and his own private affairs absorb his attention, while two more years roll on. His nights are spent in pouring over volumes of poetry and literature, and in making himself master of legislation. This mental toil wears on his strength. His cheeks grow paler, and his eyes grow brighter. Where now is the skiff and the dripping oars? They are away on the shores of the rising sun. He sometimes feels the force of

his lonely condition. He sometimes gives way to despondency. And how can he help feeling it? How can he avoid giving way, when he knows and feels himself in the wide world alone? He is a stranger in a land of strangers. His kindred are in their graves. The blood of the Broderick family flows in no veins but his. He is alone—*alone*—ALONE! He has no fortune save his Integrity, his Talent, his Industry, his Enterprise, and his Economy, and the little property these qualities have won for him in the valleys of the rugged West.

Again he is a candidate for the United States Senate. This time he is elected! He is a Senator at thirty-seven years of age! There was a lull—a very *brief* one—in the tempestuous activity of the corrupt party in power, and that lull allowed an honest man to take his place among them! A proud day for him, and a prouder day for the nation! With his credentials in his pocket, he embarks once more upon the blue-waved sea. Welcome the returning hero! Welcome the bold Pioneer! Along the briny Pacific, over the Isthmus and across the Gulf, he hastens away toward the land of his boyhood and the city of his birth.

He takes rooms next door to the Kirkwood House on Pennsylvania Avenue. When not engaged in Legislation you will find him there, for he mingles little in society. What has he—the last of his race—to do with the gaities and frivolities of Washington? But his rooms are the resort of many distinguished men. He receives them kindly, and they are all proud to know him, and to take his hand in friendship. He goes to the Senate, and his presence is an *era* in that aristocratic chamber. The corruption of the "jobbers and land-sharks" who are preying on the treasury and public lands of the West, are by him exposed. Dishonesty and chicanery tremble at his coming. Bribery and knavery fear the glance of his dark blue eye, for he is a vigilant, active and powerful opponent. Honest and noble men soon avow their friendship for him, and skulking knaves soon learn to tremble in his presence. For two years he sits a Senator. For two years he deals out heavy blows against usurpation

and trickery, and exposes the fell schemes of demagogues. For two years he opposes every attempt to fasten slavery on the Territories—scorning alike the Administration and its pliable and hypocritical abettors; self-styled Democrats, once honest, perhaps, and faithful, but now tyrants and tyrants' tools, in the Lecompton perfidy and its treacherous substitute, the English swindle. For two years he re-echoes the sentiments in regard to the freedom of the West, and revives the true principles of progress, as they had been first expounded in those same halls, in the days of James Monroe. The childish but noble wish he made when he brought to his mother the little bunch of Potomac flowers, he now advocates with manly eloquence!

On the 22d day of March, 1858, when Bayard, and Douglas, and Toombs, and Davis, and Pugh, were giving their opinions to the world on the subject of extending slavery, the voice of Broderick, still true to liberty, as the needle to the polar star; true to the last wish of his mother, true to the highest interests of humanity, and free to proclaim, frankly, the native promptings of his heart, was the most eloquent among them all. A brief extract will show the manner in which the mechanic—the son of the Washington stone-cutter, the lone orphan boy of New York—replied to the proud minions of aristocratic power:—

* * * * "In the passage of that (Kansas-Nebraska) bill, the people of the North felt that a great wrong had been committed against their rights. This was a mistaken view. The people of the North should have *rejoiced* and applauded the Senator from Illinois, for having accepted Mr. Dixon's amendment. The South should have *mourned* the removal of that barrier, the removal of which *will let in upon her feeble and decaying institutions*, MILLIONS OF FREE LABORERS. In the passage of that bill, *the rampart that protected slavery in the Southern Territories*, WAS BROKEN DOWN. Northern opinions, Northern ideas, and Northern institutions, were invited to the contest for the possession of those Territories.

How foolish for the South to hope to contend, with success, in such an encounter! SLAVERY IS OLD, DECREPIT AND CONSUMPTIVE; FREEDOM IS YOUNG, AND STRONG AND VIGOROUS. The one is naturally STATIONERY, AND LOVES EASE; the other is MIGRATORY AND ENTERPRISING. There are *six* millions of people interested in the extension of slavery; and there are *twenty* millions of freemen to contend for those Territories, out of which to carve themselves homes where labor is honored."

Bold words! against the majority of his own party! Mr. Hammond had said:—

"In all social systems, there must be a class to do the menial duties, to perform the drudgeries of life. That is, a class requiring but a low order of intellect, and but little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class, which leads progress, civilization and refinement. * * * It constitutes the very mud-sills of society and political government, and you might as well attempt to build a house in the air, as to build either the one or the other, except on these mud-sills. We use them for our purpose, and call them *slaves*. * * * I will not characterize that class at the North by that *term;* but you have it; it is there; it is everywhere; it is eternal. * * * Our slaves are *black*—of another and inferior race. * * * Yours are *white*—of your own race. You are brothers of one blood. Our slaves do not vote; we give them no political power. Yours do vote, and being in the majority, they are the depositories of all your political power."

"Sir," said Broderick, "I am glad the Senator has spoken thus. It may have the effect of arousing, in the workingmen, that spirit which has been lying dormant for centuries. It may also have the effect of arousing the two hundred thousand men, with pure skins, in South Carolina, who are now degraded and despised by thirty thousand aristocratic slaveholders. * * * I am, sir, with one exception, the youngest in years, of the Senators upon this floor. It is not long since I served

an apprenticeship of five years, at one of the most laborious mechanical trades pursued by man—a trade that, from its nature, devotes its followers to thought, but debars him from conversation. I would not have alluded to this, if it were not for the remarks of the Senator of South Carolina, and the thousands who know that I am the *son of an artizan, and have been a mechanic*, would feel disappointed in me if I did not reply to him. * * * The class of society to whose toil I was born, under our form of government, will control the destinies of this nation. If I were inclined to forget my connection with them, or to deny that I sprang from them, this chamber would not be the place in which I could do either. While I hold a seat here, I have but to look up at the beautiful capitals adorning the pilasters that support this roof, to be reminded of my father's talent, and to see his handiwork. * * * I made my new abode among strangers where labor is honored. I had left without regret. There remained to me no tie of blood to bind me to any being in existence. If I fell in the struggle for reputation and fortune, there was no relative on earth to mourn my fall. But the people of California elevated me to the highest office within their gift. * * * Almost the entire partisan press of the State was subsidized, by government money and patronage, to oppose my election. I sincerely hope, sir, the time will come, when such speeches as that from the Senator of South Carolina, will be considered a lesson to the laborers of the nation."

Such was the response he gave to the haughty advocates of the Extension of Slavery. Such was the bold and noble answer a "mechanic" gave to the heartless despot who dared to speak, with such contempt, about the laborers of the land! Let him not speak so lightly of the sons of industry, the source whence flows our so great prosperity. How dares he thus insult the people? How dares he speak thus of the industrious and hardy laborer, forgetful that he himself occupies the position of *pauper?* One who lives upon the earnings of another is a *pauper*. And I am told that Hammond lives

chiefly upon the *earnings of his slaves* and the federal treasury. The industrious and honest mechanic is ten thousand times more noble than the *pauper*, and especially one who is, at the same time, an *arrogant and impious tyrant!*

Broderick returns to the Golden State. Returns to engage in one more campaign, and then—afterwards—to die! Farewell, Washington! farewell, Senate! you have looked your last upon the true representative of the nation's industrious millions. Farewell Hammond, and Toombs, and Davis, your torrent of vindictive arrogance may hereafter have full sweep, for the chosen champion of labor, the defender of the mechanic, the stone-cutter's son, who toiled for his passage to eminence, is passing away for ever! His noble words have failed to soften your iron hearts. He is "the last of his race," but do not forget, I implore you, that he represents the laboring millions of the land. They will avenge the obloquy you would heap upon his memory. They will defend his fame.

He fights the battles of liberty in the Democratic ranks, during one more campaign. But at its close, *a combination of assassins*, composed of men who are wedded to slavery extension, *prepare to take his life.* Among that banditti of villians, Judge Terry is the best shot—*his* the most deadly aim! He resigns his seat on the Supreme Bench of California to commit murder! He well knew that the hand that was familiar with the Mallet and Chisel by day, and the volume of Literature by night, could be no match for the practiced duelist, the daytime gambler, and the midnight reveler. He sent the challenge with a demon's grin upon his face—an easy prey! —and the prospect of a President's reward! No doubt it was the money of James Buchanan, or the promise of Federal patronage, that lured the assassin to the deed! "No doubt?" That supposition was fully *confirmed,* when James Buchanan appointed Calhoun Benham, Judge Terry's second, to the office of District Attorney for the State of California, a very

responsible office, with a large salary. The aider and abettor of *murder* is thus rewarded! Broderick accepted the challenge—the greatest mistake of his life,—the mistake, on account of which so many thousand hearts are pained. But he well knew that the assassins, in terrible numbers, lurked along his pathway, and waited for his coming. He had dared to defend justice and the right, against the omnipotent will of the slavery extending power; and its skulking minions, at once covetous and demoniac, were eager for his blood.

I see him go the solitary valley. It is a lonely spot—an open space in a thicket of trees and bushes—a glade in the wild-wood, sacred to his memory for ever more. It is the 13th day of September, 1859. It is early morning and the sun is brightly shining. It has just risen above the summit of the Coast Range Mountains, fringing their rocky ledges with a frost-work of silver. Its golden rays fall, laughingly and gently, upon the lonely spot. Too bright a morning for so dark a deed! A soft autumnal breeze fans the faces of that frenzied, sad, deluded group of men. The smallest zephyr, just enough to make the leaves rustle on the slimest branches, just enough to cause one poor leaf to fall upon Broderick's shoulder, and then all is still. A few terror-stricken men gather in breathless silence around them.

Why did he, alas! why *did* he accept that challenge? He receives the proffered Derringer pistol, though he *knows* he cannot use it! Why, *Oh! why?* He brushes the little pink leaf from his shoulder carelessly, and pulls the brim of his Palo Alto hat down over his brow with a steady hand, as if no anxious thought disturbed his peace. That leaf—the emblem of himself—fallen before its time; fallen before the chilly frosts of autumn, or the rude winds of winter had come with their destroying forces, to garner the harvest of the summer—that poor leaf fluttered to the ground and lay still at his feet. One careless glance at that tiny pink leaf, and then he turns his face eastward, to look his last upon the

rising sun. It hangs over Washington and New York, a lamp in the lofty sky, casting its rays upon the home of his childhood, and the city of his youth! Thy hand, oh! David, shall never pluck the Potomac flowers again. The skiff and the oars will be floating on the deep, but the orphan boy will never behold them more. The Hudson and the ocean—like thy kindred, ah! Broderick! Broderick!—the land and the sea are passing from thy view for ever!

The shrill crack of the pistol echoes in the silent wood. A deep, despairing groan arises from that assembly of pale and trembling spectators. He reels,—he falls,—the shades of death are gathering around his brow! His cheeks grow pale; his pulse beats faintly; his race is almost run. He speaks, and these are his words—words that should haunt the perpetrators of this fell deed till the end of time—words that should arouse the slumbering millions of freemen, and bid them arise and defend their endangered liberty and their sacred honor:—"THEY HAVE KILLED ME BECAUSE I WAS OPPOSED TO THE EXTENSION OF SLAVERY AND A CORRUPT ADMINISTRATION."

He lingers awhile, talking brokenly to his attendants—then dies! Multitudes, stricken with terror and overwhelmed with grief, silently gather round his bier. San Francisco is in mourning. The news spreads over the nation, and the nation is in mourning. Col. Baker's eloquent oration has reached the hearts of millions. That mountain tomb will be sacred in the memory of freemen. His career is ended; his voice is hushed; his tongue is silent. The stout hand is powerless; the faithful heart is sleeping its eternal sleep; and the daring spirit has gone to the land of rest. But is he dead? Is his bold example forgotten in the minds of men? Can his deeds be erased from the nation's history? Can his dying words remain unheeded? Are they not before us ever, a bright example for us all to emulate, an admonition to the slumbering patriot, and a warning to the slavery extender, who would even *murder* to retain their power?

Let the devotees of industry, the freemen of the nation,

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remember that "*eternal vigilance* is the price of liberty," and that "activity is the only guarantee of success." And while the recollection of these sublime maxims are fresh in the memory, and fall upon the heart thrillingly, as the battle blast of the bugle falls upon the soldier's ear, they will not forget the noble Broderick, who was slain for having been "opposed to the extension of Slavery and a corrupt Administration."

He worked his way from nothing,
With no friends, no wealth, no name;
But alone—*alone*—he mounted
To the zenith of his fame.
He met the savage tyrants
And opposed them in their den,
And bled,—because he honored
His lowly fellow-men!

They have forged their cursed fetters,
And with fierce and bloody hands,
They would extend the Black Destroyer
O'er the sacred Western Lands,
But we trust in you, Republicans,
To check its onward flow;
To *stop* that sum of villainies—
That embodiment of woe.

Oh, defend the starry banner,
And be heroes in the fight,
Where the object is to battle
For Liberty and Right.
Swell, *swell* your mighty columns,
And let every man be strong,
Against the Hoard of Demons
Who would *Murder for the Wrong*.

Keep *keep* the Western Country
For the Honest and the Free!
Untrammeled—as the mountain winds!
Unfettered as the sea!
Give, *give* it to the Sons of Toil,
And the Daughters of the Brave;
Who *love* the name of Laborer,
But *scorn* the name of Slave!

Sherwin, Walter G.: A TRIBUTE TO THE MEMORY OF DAVID C. BRODERICK. Cincinnati: 1860. 20pp, dbd, moderate soil and light wear. About Good+.

Sherwin, a Cincinnati lawyer, eulogizes Broderick as an anti-slavery martyr. Broderick was a Democratic Senator from California who, as the result of disputes within the California Democratic Party, allied himself with Stephen Douglas in the bitter intra-party battle over Kansas. The pro-Southern Buchanan Democrats shunned and threatened them. According to Sherwin and like-minded people, Broderick was marked for death. At the 1859 Democratic State Convention David Terry called Broderick a follower, not of Stephen Douglas, but of Frederick Douglass. Broderick intemperately responded. Terry, a Justice of the California Supreme Court, was a crack shot comfortable with violence. He challenged Broderick to a duel, resigned his seat on the Court, and killed him. Broderick's dying words were, "They have killed me because I was opposed to the extension of slavery and a corrupt administration." Years later Terry was killed when he tried to assault Justice Stephen Field of the U.S. Supreme Court.

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